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VIRGINIA IN 1677.

(Abstracts by W. N. SAINSBURY, and copies in the McDonald and De Jarnette Papers, Virginia State Library.)

(CONTINUED)

PETITION OF JOHN JEFFREYS

Copy

On the 18th October the Petition of Ald. Jefferies for the payment of some Wines is read as follows

To the Right Hon'ble the Committee for Trade and Plantations

The humble Petition of John Jeffreys Esq^{re} Sheweth

That your Petitioner having a Considerable Store of Fial Wine at James Town in Virginia the Right Hon'ble S^r Will^m Berkley Governor by virtue of an order did impress for His M service Twenty Pipes thereof which were accordingly delivered at the lowest Rate they had been sold at viz: Eight pounds sterling p^r pipe.

That after the said Twenty Pipes of Wine were expended in the service aforesaid and sixty three Pipes more utterly lost to your Petitioner by the Rebels burning the Town Your Petitioner's correspondent M^r John Page was fain to petition the last Grand Assembly for payment. Whereupon by Report of a Committee confirmed by Assembly they have allowed full eight pounds for two pipes of the said Wine delivered to S^r Will^m Berkley and would allow but half pay (that is) four pounds p^r pipe for the other eighteen pipes alleging this reason for abatement that they were taken from Town disposed on the public account and so saved from the fire which happened suddenly after upon the Governor leaving James Town.

Now that for the Grand Assembly have by their Public Order owned the delivery and disposal of the twenty pipes of Wine and ordered payment here in England of two pipes at full price and the other eighteen at half pay. Yet because the evasion alleged is very unjust as well as ridiculous as the Hon'ble Commissioners for Virginia have truly observed in their Report of the premisses; Upon sight of the Petition and Order of Assembly thereupon, herewith also ready to be produced.

Your Petitioner humbly prays Your Honors to inspect the said Papers & Reports and according to Your Honors own Wisdom to determine herein, so as Your Petitioner who is a great sufferer besides by the troubles in Virginia, may at last, the full rate of eight pounds p^r pipe out of the public Money of the Country here, as well for the eighteen pipes of Wine expended on the Public account, as for the two pipes expended by the Governor, for which they have themselves allowed the full rate of eight pounds p^r pipe in their Order.

And Your Petitioner shall ever pray &c.

A true Copy teste W Davis.

The Papers annexed were as follows, viz^t

To the Right Hon'ble His Ma^{ties} Commissioners for grievances.

John Page in behalf of John Jefferys Esq^{re} humbly sheweth that by virtue of the Right Hon'ble S^r William Berkley's order Your Petitioner did deliver, Twenty pipes of Fial Wine for his Ma^{ty's} service the day before James Town was left Your Petitioner sold of the same Wine to several Gentlemen at eight pounds per pipe.

Now so it is, that the Grand Assembly have ordered payment for two pipes of the said Wine at eight pounds per pipe which was spent in the town and but foer pounds p^r pipe for the 18 pipes which were put aboard the ships saying, if it had not been taken away it would have been lost, which the Gentlemen I sold to, at eight pounds p^r pipe might also plead, if any reason for it. Also there was no caution given to remove what was then left in the Cellars of the said John Jefferies Wine being sixty three pipes, one hogshhead, and one Quarter Cask of Fial Wine,

which to Your Petitioner seems strange that Wine should be taken at half price. And so much wine lost that timely notice to secure the same might have been prevented. Also Your Petitioner sold & delivered to the said S^r Will^m Berkley four Men Negroes for one hundred pounds sterling being the estate of the said John Jefferys for which your Petitioner received a Bill 20th January, Capt^a Otho Thorp to pay me on S^r Will^m Berkley's account one hundred pounds sterling upon demand, which sum Your Petitioner hath demanded and the said Otho Thorp refuseth payment saying he hath received no consideration of the said S^r William Berkley for the said Bill and therefore shall desist from payment until farther trial be had therein. All which your Petitioner humbly prays may be taken into Your Honors most serious consideration that the said John Jefferys Esq^r be not injured in his estate and just right. And your Petitioner as in duty bound will ever pray &c.

At a Grand Assembly at Green Spring the 20th day of February 1676.

In answer to the Petition of M^r John Page in behalf of Jo. Jefferys Esq^r for payment for twenty pipes of Wine, two pipes whereof were delivered to the Right Hon^{'ble} Governor on the Public Account for which this Committee thinks fit to allow eight pounds sterling p^r pipe and the other eighteen pipes being upon the Public account disposed of, but in regard they were taken from town & thereby saved from the fire, this Committee are of opinion that half pay will be Sufficient upon which they have thought fit to allow four pounds p^r pipe which in all is 88 sterling, which report of the Committee is confirmed by the House.

Teste Robert Beverley Cl: Ass:

A true Copy teste

W Davis

March 10 1676-7

At Swans point Virginia.

Upon due examination, proof, and consideration of the petition, within written and the original order of Assembly under

the Clerks own hand, thereto annex; We are of opinion that since the Wine within mentioned was delivered by Order of the Right Hon'ble the Governor two pipes for his own and eighteen for the public use and for his Ma^{ties} Service the first two pipes being allowed for, at the full rate of eight pounds sterling p^r pipe as by the said Order of Assembly herewith produced doth appear, there is the same reason that they should pay for the other eighteen pipes of Wine after the same Rate which themselves have valued and set upon the two pipes for the Governors use. And that it is a most ridiculous and unjust evasion which in their own Order is alleged for allowing but half pay for the other eighteen pipes because they were taken from James Town the day before it was left, and by that means saved, from the fire and drank out by them while at the same time there was 63 pipes, one hogshead, and quarter Cask of Brandy lost by the fire for want of due notice for removal. Wherefore we are also of opinion, that it is most just and reasonable that John Jefferys Esq^r true owner of all the said Wine so expended and lost should receive payment and satisfaction pro rata as the Assembly have themselves valued, the first two pipes for the Governors use, for the other 18 pipes expended and owned by them out of the public money of the Countrys here in England, it being on the Public Account delivered. Which we most humbly refer to his most gracious Ma^{ties} Royal consideration and justice to order him.

John Berry
Francis Moryson.

Whereupon their Lordships agree upon a Report contained in the Order of Council following viz^t

At the Court at Whitehall the 24th October 1677.

Present

The King's most Excellent Ma^{ty} in Council.

Upon reading this day at the Board a Report from the Right Hon'ble the Lords Committee of Trade and Plantations on the Petition of John Jeffreys Esq^r of London, Merch^t in the words following

May it please Your Ma^{ty} We have received the Petition of John Jefferys Esq^r setting forth, that having a considerable store of Fial Wines at James Town in Virginia the late Governor S^r Will^m Berkley did by virtue of an Order impress for your Ma^{ties} service Twenty pipes thereof, which were accordingly delivered by the Petitioner's Correspondent at eight pounds sterling per pipe which was the lowest rate they had been sold at.

That after the said twenty pipes of Wine were expended in the Public service the Petition^{ers} said correspondent John Page did Petition the Assembly for payment. Whereupon there was allowed unto the Petitioner eight pounds for two of the said pipes delivered unto S^r Will^m Berkley, and for the remaining eighteen was adjudged only four pounds per pipe upon pretence that they were taken out of the town for the Public Use and so saved from the fire which would otherwise have consumed them and therefore praying for relief against the determination of this Assembly and that he may be paid eight pounds for each pipe according to the true and declared value of the said Wine.

We have likewise conferred with S^r John Berry and Coll^l Moryson Your Ma^{ties} late Commissioners for the affairs of that Colony, who are of opinion after a former examination of the matter that it is most just and reasonable that the Pet^r should receive full payment and satisfaction for the said twenty pipes of Wine according to the rate the Assembly have set upon the two pipes of Wine delivered to S^r William Berkley.

And it likewise appearing unto us that the order of the less sum did put that difference alleged upon the price of his wine without any sufficient reason and that because they might have been burnt therefore they rated them at half the value of what they were worth and had themselves rated a parcel thereof.

We are humbly of opinion that the said Order was very unjust and deserves to be reflected on. And for redress of this injury we think the Petitioner deserves Your Ma^{ties} Justice in passing an Order for his entire Satisfaction at the rate of eight pounds per pipe which makes his whole debt amount to one hundred and sixty four pounds. And forasmuch as there

is at present in the hands of M^r Garven Corbin a sum of money and by the Assembly of Virginia for several public uses relating to that Colony Your Ma^{ty} may please to Order the said Garven Corbin to pay thereout the Petitioner said debt of one hundred & sixty pounds as the most speedy way of satisfaction which can be proposed for him.

All which is humbly
submitted &c.

Council Chamber
22nd October
1677.

Ernle	Finch C.	Anglesay
	G Carteret	J Williamson J Dolman

His Ma^{ty} in Council was pleased to approve of the said report and it was thereupon Ordered that the said Garven Corbin do forthwith and upon sight hereof pay unto the said John Jeffreys Esq^r the sum of one hundred and sixty pounds abovementioned out of the said Moneys in his hands. And this Order together with the said John Jeffreys receipt shall be a sufficient discharge to the said Garven Corbin for so doing.

Oct. 15, 1677.

AN EXACT REPERTORY OF THE GENERAL AND PERSONAL GRIEVANCES PRESENTED TO US, HIS MAJ. COMMISS^{rs} BY THE PEOPLE OF VIRGINIA.* To which we have hereto annexed our most humble opinions, remarks, report and observations with reference to the Grievances themselves as the same are also herewith presented at large in their own words and subscribed with the inhabitants own hands, as also the particular petitions and proofs of sundry persons which for ease and method sake

*The "Grievances" of various counties presented to the Commissioners have been printed in full in this Magazine as follows: Gloucester II, 166-169; Lower Norfolk II, 169-170; Surry II, 170-173; Northampton II, 289-292; Isle of Wight II, 380-392; Cittenborne Parish, Rappahannock Co., III, 35-42; Charles City III, 132-147.

are here briefly recited and most humbly presented, as followeth:—

James City County Grievances

Rappahannock County

Citternbourne Parish in Do

Stafford County

Surry County

Westmerland do

Northampton do

Accomack do

Lancaster do

Warwick do

Isle of Wight do

New Kent do

Elizabeth City do

Henrico do

York do

Gloster do

Lower Norfolk do

and Nansemond County.

Signed by Sir John Berry and Col. Francis Moryson. (Colonial Entry Book. No. 81. pp. 291-333).

N. B. All the Grievances above referred to are in original in the Correspondence and will be found calendared under each County see Feb. & March 1676-7. W. N. S.

Oct. 15, 1677.

The Heads of such Papers as are contained in a Manuscript intituled A Particular Account how we Your Maj. Commissioners for the affairs of Virginia have observed and complied with our Instructions. Subscribed by Sir John Berry and Col. Francis Moryson.

(Colonial Papers 5 pp.)

Oct. 15, 1677.

LIST (*) OF THE NAMES OF THOSE WORTHY PERSONS WHOSE SERVICES AND SUFFERINGS BY THE LATE REBEL NATHANIEL BACON JUNIOR AND HIS PARTY have been reported to us (his Maj. Commiss^{rs}) most loyal and eminent during the late unhappy troubles in Virginia and particularly of such whose approved loyalty constancy and courage hath rendered them most deserving of his Maj. remark—This list is headed by Sir W. Berkeley then follow Sir Henry Chicheley, Col. Nathaniel

*Printed in full in this Magazine, V, 64-70.

Bacon, Col. Philip Ludwell, Col. Augustine Warner, Thos. Ludwell &c. &c. and to each the Commiss^{rs} have given some account of their services, character &c-the two last on the List are "the Good Queen of Pamunkey" to whom it is recommended a present of small price should be sent, and Major Robert Bristow a gentleman of good estate and an eminent sufferer. Signed by Sir John Berry and Col. Francis Moryson.

(Colonial Entry Bk. No. 81. pp. 352-357.)

Oct. 15, 1677.

A PARTICULAR ACCOUNT HOW WE YOUR MAJ. COMMISSIONERS for the affairs of Virginia have observed and complied with our Instructions. On one column are the King's Instructions to Herbert Jeffreys. Sir John Berry and Francis Moryson dated 9th Nov. 1676, and on the opposite column The Answer of his Maj. Comm^{rs} how they have acted by and performed the said Instructions. Signed by Sir John Berry and Col. Francis Moryson.

(Colonial Entry Book. No. 81. pp. 365-367.)

Oct. 17, 1677.

SIR JOHN BERRY TO SIR ROBERT SOUTHWELL—In reference to the disposal of the goods seized by him as Commander of his Maj. ships in Virginia and Sarah Drummond's pretensions thereto.

(Colonial Papers 2 pp.)

Another copy is entered in Col. Entry Bk. No. 80, pp. 194-5 as Read on 18 Oct. 1677.

Whitehall, Oct. 18, 1677.

MINUTES OF A COMMITTEE OF TRADE AND PLANTATIONS—The Articles of Peace made on 29 May last between Lt. Gov. Jeffreys and the Indian Princes are read. Sir John Berry & Col. Moryson together with several Merchants and Planters being present. Debate concerning the boundaries settled by this Peace and limitation of three miles, which distance from the Indian Towns

the English are to keep in their settlements. The treaty to be printed and copies sent to Virginia after certain amendments are made—Col. Moryson remarks on the advantage & security to the inhabitants of Virginia by restraining settlements to a lesser compass, it being certain that all the Planters are not so many as the inhabitants of Stepney Parish and yet have taken up as much land as all England—In answer to Lord Culpeper it is agreed that the Indians ought to receive the same measure of justice from the English as the English by law expect from them.

(Col. Entry Bk. No. 105 pp. 130-1.)

Council Chamber, Whitehall, Oct. 19, 1677.

REPORT OF [COMMITTEE FOR TRADE AND PLANTATIONS] TO THE KING. That the Articles of Peace made between the Lieut. Governor of Virginia and the Indian Princes their Neighbours, namely the Queen of Pamunkey, the King of the Nottoways, John West, son to the Queen of Pamunkey, the Queen of Wao-noke and the King of the Nancimond Indians be printed and copies sent to Virginia for the better publication and observance thereof. Signed by Anglesey, Essex, Craven and J. Williamson. Indorsed "Read in Council Oct. 20th 1677 and ordered."

(Colonial Papers 2 pp.)

Whitehall, Oct. 19, 1677.

ORDER IN COUNCIL FOR PRINTING CERTAIN ARTICLES OF PEACE LATELY MADE BETWEEN HIS MAJ. LIEUT. GOV^r OF VIRGINIA AND SEVERAL INDIAN PRINCES IN THOSE PARTS.—Draft.

(Colonial Papers.)

Mem. made at a Meeting of a Committee of Trade and Plantations that this Report was made on the 19th and approved in Council and ordered that the Treaty be sent to M^r Sec. Coventry to be printed.

(Colonial Entry Bk. No. 105 p. 131.)

A Copy of the above Order in Council is entered in Col. Entry Bk. No. 80 pp. 198-200 with a Mem. that their Lordships had on the 18th of Oct. in pursuance of his Maj. Order considered the Articles of Peace.

Oct. 20, 1677.

ORDER OF A GRAND ASSEMBLY BEGUN AT MIDDLE PLANTATION AT THE HOUSE OF CAPT. OTHO THORP in reference to a petition of Capt. Nath. Bacon (3) & the rest of the owners of the ship Planters Adventure to be freed from paying the import of 2% per hogsh^d and Castle duties as by Act of Assembly lately repealed which law they pray may not be construed to look backward—to be allowed that privilege so long as said ship shall wholly belong to Virginia owners.

(Colonial Papers 1 p.)

Oct. 22, 1677.

THE KING TO HERBERT JEFFREYS, LIEUT. GOVERNOR AND THE COUNCIL OF VIRGINIA—Recite the Report of the Committee of Trade & Plantations on petition of Richard Booth & others in reference to the seizure by Sir W^m Berkeley of goods on board the Richard and Elizabeth, Nicholas Pryn Commander, upon supposition that they belonged to William Hunt their Agent in Virginia to whom the whole were consigned and that he was concerned in the rebellion there. That said goods be delivered to said petit^{rs} or their Agents wherever they may be found in specie and in case embezzled or disposed of that they may be assisted by all lawful means in the recovery of them.

2 pp.

(Col Entry Bk. No. 95 p. 139.)

Oct. 22, 1677.

THE KING TO THE LIEUT. GOVERNOR & COUNCIL OF VIRGINIA—Recite the Report of the Committee of Trade and Plantations on petition of Sarah Drummond relict of W^m Drummond late our inhabitant of Virginia who was after the

late rebellion there taken, stript & brought before Gov. Berkeley & by him immediately sentenced to die by Martial law, altho' he never bore arms, and his small plantation seized: directing them to give all sort of assistance for the quieting of said Sarah Drummond, in the possession of all she hath as also in the recovery of what she is not hitherto restored unto or the value thereof, in whose hands soever the same may be found but that she give full security for the same until his Maj. final determination upon the whole matter. 2 pp.

(Col. Entry Bk. No. 95 p. 140.)

Whitehall, Oct. 22, 1677.

MINUTES OF A COMMITTEE OF TRADE AND PLANTATIONS.
In reference to the Oath for Governors of Plantations which not fully answering the Acts of Parliament of 12 & 15 Car. II alterations are made therein and the form hereto appended was reported to the Privy Council and approved the same day.

(Col. Entry Bk. No. 105 p. 135.)

Oct. 23, 1677.

REPRESENTATION OF THE HOUSE OF BURGESSES TO HERBERT JEFFREYES GOVERNOR OF VIRGINIA—Complain of a Warrant of the Commissioners for Virginia of 19 April last by which all their Original Journals, Orders, Acts, Laws and Proceedings which concerned the Assembly begun at Green Spring 20 Feb'y last and also those relating to the Assemblies in March and June 1676 were forced from their clerk Beverley and kept in the hands of said Commissioners for several months as a great violation of their privileges and inasmuch as said Commission was never published desire they may have a view of the same.

(Colonial Papers 1 p.)

Another copy is indorsed "Inclosed in a letter from Col. Moryson rec^d 25 Oct. 1678. (which see).

Oct. 24, 1677.

ORDER IN COUNCIL ON REPORT OF THE COMMITTEE of 22^d Oct^r on petition of John Jeffryes, directing the payment by Garven Corbin of £160 to petitioner in accordance with the prayer of his petition. Draft.

(Colonial Papers 1 p.)

Another copy is entered in Colonial Entry Bk. No. 80 pp. 206-208.)

Whitehall, Oct. 25, 1677.

MINUTES OF A COMMITTEE OF TRADE AND PLANTATIONS—That Lord Berkeley has permission to send his Secretary to the Office of Plantations to peruse and take copies of papers relating to Virginia wherein the late Sir William Berkeley is concerned. (Col. Entry Bk. No. 105, p. 137.)

Oct. ? 1677.

INVENTORIES OF DELINQUENTS ESTATES IN VIRGINIA—prefixed by a list of debts claimed by divers persons out of the estates contained in this book with mem. signed by Sir John Berry and Fran. Moryson that on his Maj. determination concerning the disposal of said Estates herein set down Lieut. Col. George Jordan and Major Theophilus Hone, imployed by H. M. Commiss^{rs} to report what estates have been seized as forfeited to his Majesty they may be considered out of the said Estates for their great trouble. The following are the names of the persons whose estates are inventoried:

Will. Hunt—Giles Bland—Robt. Joanes.

Col. Jas. Crewes—Nath. Bacon—Wm. Cookson.

Wm. Dromon—John Greene—John Hes.

Capt. Wm. Carver—Wm. Rookings—Tho. Hall.

Tho. Willforde—Antho. Arnold—Henry Page.

Tho. Hunsforde—Tho. Whaley—Edm. Cheeseman.

John Whitson—Will. Scarbrough—Wm. Weste.

Robt. Stokes—John Younge—John Turner.

Richard Farmer & Richard Pomfrey were executed but had no estate not so much as to pay for a shroud to bury them.

(Colonial Entry Bk. No. 81 pp. 429-495.)

Oct. ? 1677.

LIST OF BONDS TAKEN TO THE KING'S USE FOR SECURING
DELINQUENTS ESTATES till his Maj. pleasure be known. With
receipt signed by Thos. Ludwell for the above mentioned bonds
being fifteen in number. 2 pp.

(Colonial Entry Book, No. 81, pp. 497-498.)

(TO BE CONTINUED)